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### REMARKS

The above-listed claim amendments along with the following remarks are fully responsive to the final Office Action set forth above. This Amendment places the application in condition for allowance, or in better position for appeal, and entry of this Amendment and reconsideration of the application is requested.

Claims 1, 2, and 17-22 are amended. No new matter is introduced into the application by the claim amendments. After entry of this Amendment, claims 1-6, 8-28, 30-37, and 40-51 are pending. The Examiner indicated the allowability of claims 9, 10, 20, 22-28, 30-37, 40, 43, 44, 48-50.

The present invention includes methods for treating precursors comprising an imageable coating on a substrate, the methods including heat-treating the precursors in such a manner that the removal of moisture is inhibited. One feature of the methods is that they provide precursors which are of consistent performance over their entire surface area; see specification at page 6, lines 24-25. Inhibition of the removal of moisture during heat-treatment is accomplished, for example, by wrapping the precursor in a water-impermeable sheet material (page 7, lines 17-21), or by heat-treating in a non-drying environment such as a humidity-controlled oven (page 7, lines 22-24).

### Claim Rejections – 35 U.S.C. § 102

Claims 1-6, 8, 11, 13-19, 21, 41, 45, 47, and 51 were rejected under 35 U.S.C. § 102(b) as anticipated by PCT published application WO 99/21715 of McCullough, *et al.* The Examiner asserts that McCullough reports a method of manufacturing a printing form precursor which comprises a positive-working coating on a substrate, including a heat treatment of the coated substrate to reduce the variation in sensitivity of the coating. The Examiner refers to Example 1 of McCullough, which reports a heat treatment for plate samples. In the reported heat treatment, individual plate samples were covered with interleaving and then wrapped in a specified polythene-coated paper. Plate samples were then placed in an oven with fan at 50° C for a period of time from 0 to 12 days.

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A Declaration Under 37 C.F.R. § 1.132 from Kevin Barry Ray ("Declaration") was submitted with a previous Amendment filed May 5, 2003. Dr. Ray is a co-inventor of the subject matter disclosed in McCullough (paragraph 4) and is familiar with the experiment described in Example 1 of McCullough (paragraph 6). Facts provided by Dr. Ray in the Declaration establish that the experiment described in Example 1 of McCullough was not performed under conditions which inhibited the removal of moisture from plate samples during heat treatment (paragraphs 7 and 8).

As presently amended, claim 1 is directed to a method of treating a precursor, comprising the step of heat-treating the precursor under conditions which inhibit the removal of moisture from the precursor, wherein heat-treating includes holding the precursor at a temperature of about 40° C or above for at least 12 hours. Based on the facts established in the Declaration, the McCullough reference does not disclose a method of heat-treating under conditions which inhibit the removal of moisture. The method of present claim 1 is therefore distinguishable from the methods reported in McCullough. Claims 2-6, 8, 11, 13-16, 41, 45, and 51 depend from claim 1 and recite additional features, and are therefore patentable for at least the same reasons. It is respectfully requested that the rejections of claims 1-6, 8, 11, 13-16, 41, 45, and 51 be withdrawn.

Claims 17, 18, and 21 as presently amended recite methods for providing precursors, comprising a step of heat-treating an imageable coating under conditions which inhibit the removal of moisture. The methods of present claims 17, 18, and 21 are therefore distinguishable from the methods reported in McCullough. It is respectfully requested that the rejection of claims 17, 18, and 21 be withdrawn. Claim 47 depends from claim 21 and recites additional features. It is respectfully requested that the rejection of claim 47 be withdrawn.

As presently amended, claim 19 is directed to a positive-working lithographic printing form precursor produced by a method comprising a step of heat-treating an imageable coating under conditions which inhibit the removal of moisture. The lithographic form precursor of present claim 19 is therefore distinguishable from the precursors reported in McCullough. It is respectfully requested that the rejection of claim 19 be withdrawn.

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### Conclusion

This Amendment places the application in condition for allowance, or in better position for appeal, and entry of this Amendment and reconsideration of the application is requested. After entry of this Amendment, all claims are in condition for allowance and a notice to that effect is respectfully requested.

Respectfully Submitted,

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